

viable lactic-acid producing organisms known. \* \* \* Bacteriological Count 173 Million aciduric organisms per gram of dry material."

The libel filed in the Northern District of Illinois charged that the article was misbranded also in that the following statements on the label regarding its curative or therapeutic effects were false and fraudulent: "Cereal Lactic is indicated in all gastro-intestinal conditions where a change in intestinal flora is known to be beneficial; also in reflex symptoms due to toxins of gastro-enteric origin." The libels filed in the District of Maine charged that the article was misbranded in that the booklet enclosed in the shipping carton contained false and fraudulent representations regarding its effectiveness in the treatment of gastrointestinal disorders, chronic constipation, hypertension, colitis, nervous symptoms, headaches, body fatigue, arthritis, neuritis, and eczema; its effectiveness in the control of pathogenic and alkaline organisms, in normalizing the bacterial count of the bowel and colon, and in controlling intestinal toxemia; and its effectiveness to normalize the motor activity and thus relieve constipation.

On April 2 and April 30, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27549. Adulteration and misbranding of tincture of iodine. U. S. v. 720 Bottles and 258 Bottles of Tincture of Iodine (and two other seizure actions against the same product). Default decrees of condemnation and destruction.** (F. & D. Nos. 38339, 39042, 39090. Sample Nos. 1026-C, 6627-C, 15938-C, 22545-C.)

This product was sold under a name recognized in the United States Pharmacopoeia and differed from the pharmacopoeial standard.

On September 28, 1936, and February 9 and 16, 1937, the United States attorneys for the Southern District of Mississippi and the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 978 bottles of tincture of iodine at Meridian, Miss., and 2,232 bottles of tincture of iodine at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce by Dermay, Inc., from New York, N. Y., in various shipments on or about September 11, 1935, November 11, 1936, and January 19, 1937, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled variously: "U. S. P. Tincture Iodine \* \* \* First Aid Prod. Corp., New York"; "U. S. P. Tincture Iodine \* \* \* Liberty Products Co., Erie, Pa."; "U. S. P. Tincture Iodine \* \* \* Tip-Top Products Co., New York-Chicago."

It was alleged to be adulterated in that it was sold under a name recognized by the United States Pharmacopoeia and differed from the standard of strength, quality, or purity as determined by the tests laid down in the pharmacopoeia, and its own standard was not stated on the container.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading since the United States Pharmacopoeia provides that tincture of iodine shall contain in each 100 cubic centimeters not less than 6.5 grams of iodine; whereas the article contained less than 6.5 grams of iodine per 100 cubic centimeters: (All bottle labels) "U. S. P. Tincture Iodine"; (carton containing two dozen Liberty products and carton containing one dozen Tip-Top products) "Tincture of U. S. P. Iodine \* \* \* Tincture of Iodine U. S. P. Double Strength."

On March 17 and June 30, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27550. Misbranding of Zonalife. U. S. v. 69 Bottles of Zonalife. Default decree of destruction.** (F. & D. No. 89164. Sample No. 30299-C.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 4, 1937, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 bottles of Zonalife at Wichita, Kans., alleging that the article had been shipped in interstate commerce on or about January 20, 1937, by the Zonalife Distributors from St. Louis, Mo., and charging misbranding in violation of the Food and Drugs Act as amended.